IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Notice of Motion No. 713 of 2005
In
Appeal No. 534 of 2002
In
Notice of Motion No. 698 of 2002
In
Summary Suit No. 5603 of 1999

Kirit A. Desai, C.A. of S.V. Desai .. Appellant
V/s.
Ajit M. Chokshi .. Respondent
And
Dolly P. Tolari .. Applicant

Mr. B.S. Shetty for the Appellant
Ms. Kinjal Haria i/b. M/s. Shailesh Thakker & Co. for the Respondent No. 1.

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 07.10.2005.

P.C.:-

1. Heard the learned counsel for the Appellant and the Respondent No. 1. As the Appeal itself has already been disposed of by this Court on 5.7.2002, the present Notice of Motion is not maintainable, however, there are changed circumstances, the Respondent No. 1 being the Original Plaintiff is at liberty to take out appropriate proceedings before the learned Single Judge.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)